

## REMARKS

Reconsideration and allowance of the subject application are respectfully solicited.

Claims 1, 3 through 15, and 17 through 40 are pending, with Claims 1, 15, 33, and 35 being independent. Claims 1, 3, 15, 17, 33, and 35 have been amended.

Claims 1 through 11, 15 through 25, and 29 through 40 were again rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 6,225,637 B1 (Terashima, et al.). Claims 12, 13, 26, and 27 were again rejected under 35 U.S.C. § 103 over Terashima, et al. in view of U.S. Patent No. 4,954,717 (Sakamoto, et al.). Claims 14 and 28 were again rejected under 35 U.S.C. § 103 over Terashima, et al. in view of Sakamoto, et al. and U.S. Patent No. 4,469,949 (Mori, et al.). All rejections are respectfully traversed.

Claims 1 and 15 variously recite, inter alia, moving a principal plane of the first unit in a direction of an optical axis of the projection optical system (Claim 1) or moving a principal plane of the first unit (Claim 15), so that an image distortion of the projection optical system is corrected, with changing of an on-axis distribution of a magnetic field generated by the first unit to move the principal plane of the first unit by changing a ratio of currents to be respectively supplied to the first and second magnetic lenses of the first unit (with Claim 15 further specifying that the change is on the basis of the correction information).

Claim 33 recites, inter alia, moving a principal plane of the magnetic lens n a direction of an axis of the projection optical system so as to adjust an image distortion of the projection optical system, wherein the controller changes an on-axis distribution of a magnetic field generated by the magnetic lens to move the principal plane of the magnetic lens by controlling a current to be supplied to the magnetic lens.

Claim 35 recites, inter alia, changing a ratio of currents to be respectively supplied to the first and second magnetic lenses to move a first principal plane of the first unit in a direction of an optical axis of the projection optical system and to change a ratio of currents to be respectively supplied to the third and fourth magnetic lenses to move a second principal plane of the second unit in the direction of the optical axis so as not to change a magnification of the projection optical system while correcting an image distortion of the projection optical system, wherein a moving amount of the second principal plane is equal to a value obtained by multiplying a moving amount of the first principal plane by a magnification of the projection optical system, and a moving direction of the first principal plane is the opposite direction to that of the second principal plane.

However, Applicant respectfully submits that none of Terashima, et al., Sakamoto, et al., and Mori, et al., even in the proposed combinations, assuming, arguendo, that the documents could be combined, discloses or suggests at least the above-discussed claimed features as recited, inter alia, in Claims 1, 15, 33, and 35. In more detail, the Official Action makes reference at page 6 thereof to col. 9, lines 4 through 14 of Terashima, et al. which discloses, e.g., that the control system 313 acquires the expansion/shrinkage ratio of the wafer 114 to be exposed and adjusts the magnification of the reduction electron optical system 108 via the magnification control circuit 306 on the basis of the ratio. In response, Applicant respectfully submits that such disclosure has nothing to do with correcting or adjusting distortion as in the above-discussed claimed features. Applicant respectfully submits that the lenses 108A/8A/1008A and 108B/8B/1008B of Terashima, et al. are not controlled as claimed herein. And Applicant respectfully submits that the aberration correction optical system 7/107/1007 in Terashima, et al. is, e.g., an electron lens or a unipotential lens (col. 6, lines 11-20; col. 13, lines

43-50; and col. 19, lines 47-55) which corrects aberrations, but does not constitute either a description or a suggestion of the above-discussed claimed features including the recited correcting or adjusting of distortion with a magnetic lens or lenses. Furthermore, the assertion in the Official Action that claimed features constitute "intended use" or are "inherent" in the cited documents is respectfully traversed by Applicant as being without support. Applicant further respectfully submits that there has been no showing of any indication of motivation in the cited documents that would lead one having ordinary skill in the art to arrive at the above-discussed claimed features as recited, inter alia, in Claims 1, 15, 33, and 35.

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from independent claims discussed above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

This Amendment After Final Rejection is an earnest attempt to advance prosecution and reduce the number of issues, and is believed to clearly place this application in condition for allowance. Furthermore, Applicant respectfully submits that a full appreciation of these amendments will not require undue time or effort given the Examiner's familiarity with this application. Moreover, this Amendment was not earlier presented because Applicant earnestly believed that the prior Amendment placed the subject application in condition for allowance. Accordingly, entry of this Amendment under 37 C.F.R. § 1.116 is respectfully requested.

Applicant submits that this application is in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,



Attorney for Applicant

Registration No. 37,838

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200

DSG\lp

DC\_MAIN 130776v1